

AMENDED IN ASSEMBLY APRIL 7, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 746

Introduced by Assembly Member Campos
(Coauthors: Assembly Members Ammiano, Eng, and Mendoza)

February 17, 2011

An act to amend Section 32261 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 746, as amended, Campos. Pupils: cyber bullying.

Existing law, the Interagency School Safety Demonstration Act of 1985, defines bullying as one or more acts of sexual harassment, hate violence, or intentional harassment, threats, or intimidation, directed against school district personnel or pupils, committed by a pupil or group of pupils. Under existing law, bullying, including bullying committed by means of an electronic act, as defined, is a ground on which suspension or expulsion may be based.

This bill would specify that an electronic act for purposes of the act includes a post on a social network Internet Web site.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 32261 of the Education Code is amended
- 2 to read:
- 3 32261. (a) The Legislature hereby recognizes that all pupils
- 4 enrolled in the state public schools have the inalienable right to

1 attend classes on school campuses that are safe, secure, and
2 peaceful. The Legislature also recognizes that pupils cannot fully
3 benefit from an educational program unless they attend school on
4 a regular basis. In addition, the Legislature further recognizes that
5 school crime, vandalism, truancy, and excessive absenteeism are
6 significant problems on far too many school campuses in the state.

7 (b) The Legislature hereby finds and declares that the
8 establishment of an interagency coordination system is the most
9 efficient and long-lasting means of resolving school and community
10 problems of truancy and crime, including vandalism, drug and
11 alcohol abuse, gang membership, gang violence, and hate crimes.

12 (c) It is the intent of the Legislature in enacting this chapter to
13 support California public schools as they develop their mandated
14 comprehensive safety plans that are the result of a systematic
15 planning process, that include strategies aimed at the prevention
16 of, and education about, potential incidents involving crime and
17 violence on school campuses, and that address the safety concerns
18 of local law enforcement agencies, community leaders, parents,
19 pupils, teachers, administrators, school police, and other school
20 employees interested in the prevention of school crime and
21 violence.

22 (d) It is the intent of the Legislature in enacting this chapter to
23 encourage school districts, county offices of education, law
24 enforcement agencies, and agencies serving youth to develop and
25 implement interagency strategies, in-service training programs,
26 and activities that will improve school attendance and reduce
27 school crime and violence, including vandalism, drug and alcohol
28 abuse, gang membership, gang violence, hate crimes, bullying,
29 including bullying committed personally or by means of an
30 electronic act, which includes the posting of messages on a social
31 network Internet Web site, teen relationship violence, and
32 discrimination and harassment, including, but not necessarily
33 limited to, sexual harassment.

34 (e) It is the intent of the Legislature in enacting this chapter that
35 the School/Law Enforcement Partnership shall not duplicate any
36 existing gang or drug and alcohol abuse program currently provided
37 for schools.

38 (f) As used in this chapter, “bullying” means one or more acts
39 by a pupil or group of pupils as defined in Section 48900.2,
40 48900.3, or 48900.4.

1 (g) As used in this chapter, an “electronic act” means the
2 transmission of a communication, including, but not necessarily
3 limited to, a message, text, sound, or image, or a post on a social
4 network Internet Web site, by means of an electronic device,
5 including, but not *necessarily* limited to, a telephone, wireless
6 telephone or other wireless communication device, computer, or
7 pager.

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